

STATE OF RHODE ISLAND

RHODE ISLAND ETHICS COMMISSION

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Providence, RI 02903
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Rhode Island Relay
(800) RI5-5555

1999 YEARLY FINANCIAL STATEMENT

Instruction Sheet

WHO MUST FILE AND WHEN

Present and Former Public Officials

A financial statement must be filed by April 28, 1999 by every elected or appointed official holding a position in state, city or town government for any part of the calendar year 1999. An elected official is a person elected to a post in state or local government by public election. An appointed official is a person holding a post in state or local government to which he or she was appointed by the Governor, the General Assembly or the Highest Official or Legislative Body of a local government, OR for a term of office as specified by the Rhode Island Constitution, a Statute, a Charter or Ordinance. If you are uncertain whether you should file, submit a letter to the Commission by April 28, 2000 describing your position and requesting an advisory opinion and an extension.

A financial statement must be filed yearly so long as you hold an elected or appointed post. All but questions 14 and 15 refer to the calendar year 1999. If both you and your spouse are public officials you must file separate statements. For purposes of this statement, the term "family member" when used means you, your spouse, or any dependent child.

Appointees

A person who becomes an appointed official during 2000 is required by statute to file a financial statement covering calendar year 1999 within 30 days of the date of appointment or qualification whichever is later.

Candidates

A candidate for elective public office in 2000 must file a financial statement covering calendar year 1999 within 30 days of the filing deadline for the office the candidate seeks or the date the candidate's name is submitted to the state or local elections board, whichever date is earlier.

ACCESS FOR PERSONS WITH DISABILITIES

Instructions and financial disclosure forms are available in large print and in Braille. The Commission will make reasonable accommodations to furnish other appropriate auxiliary aids and services when necessary to afford an individual with a disability with an equal opportunity to comply with financial disclosure requirements. To request a reasonable accommodation, contact the Ethics Commission's ADA Coordinator.

EXTENSIONS

One extension of up to 60 days shall be granted to any person (other than a candidate) required to file if a written request thereof is received by the Commission by the date on which the financial statement is required to be filed.

Candidates for public elective office shall be granted one 15 day extension if good cause is shown and provided the written request is received by the Commission by the date on which the financial statement is required to be filed.

THE FOLLOWING INSTRUCTIONS ARE FOR QUESTIONS NUMBERED 1 THROUGH 16

1. Fill in your full name.
2. Fill in your **home address**. If you have a separate mailing address that should be used, please provide it also.
3. State your public office and indicate whether the office is a part of state, city or town government. Some examples are:

District Court Judge - State
Representative – State District #
Councilperson – Pawtucket
Zoning Board – Bristol

Probate Court Judge – Warren
Tax Assessor – Smithfield
School Committee – Charlestown
Board of Accountancy – State

If the government unit is regional, give full name of unit.
For example: Blackstone Valley Sewer District Commission

Specify if you are elected and/or appointed to the office you hold, the year in which you were elected and/or appointed, and the year of resignation from office or termination of office, if applicable.

4. If you are a candidate for elective public office in 2000, or were a candidate in calendar year 1999, designate the office and the governmental unit. If no Declaration of Candidacy has been made by you at the present time, do not answer “none” or “not applicable”.
5. List all the family members who resided in your home in calendar year 1999 and any other children for whom you provided more than 50% support in calendar year 1999.
6. List only the name of the employer from who you, your spouse, or child received individually \$1,000 gross income, or more. If self-employed, list any occupation from which you or your spouse or child received gross income of \$1,000 or more. If you, your spouse, or dependent child were employed by a state or municipal agency, list the dates of employment and the job title or description of service rendered. If self-employed, list the date and nature of the services which were rendered by you, your spouse, or dependent child to a state or municipal agency where the amount of the fee or charge exceeded \$250.00. **Do not list dollar amounts.**
7. List all real estate other than your principal residence in which you, your spouse, or dependent child had a financial interest, no matter where it is located. If no address is available note the description used for local property tax purposes. Financial interest includes indirect interest as well as direct interest and includes mortgages, options, trusts, etc. Real estate held by a corporation in which you have a financial interest, unless the corporation’s principal business is real estate, should not be reported in this answer, but your financial interest in such corporation may have to be reported elsewhere. **Do not list dollar amounts.**
8. List the name of the trust, and name and address of the trustee of any trust from which you, your spouse, or dependent child individually received an amount in excess of \$1,000.00 **Do not list dollar amounts.** If the assets which generate the income are known, list the assets. If unknown, please state.

Example:

Asset: Common Stock Vista Corporation

9. If you, your spouse or dependent child hold a position as director, officer, partner, trustee, or management position, identify the position and state the business address. Business includes a non-profit organization of any type as well as profit-making organization.
10. Identify any person, business entity, or other organization from whom you, your spouse or dependent child received a gift or contribution of money or property in excess of \$100.00 in value and a description of each gift or contribution. Gifts or contributions from relatives need not be listed. For purposes of this question, a relative is a parent, child, grandchild, stepchild, brother, sister, grandparent, stepparent, great grandparent, uncle or aunt, a first cousin, or the spouse of any of these. Bona fide educational scholarships are also excluded. Any individual who has received a campaign contributions as defined in the Campaign Contributions and Expenditures Reporting Act, and has complied with said Act, need not report the contributions on this statement.

11. List any sole proprietorship, firm, corporation, or other business entity in which a 10% ownership interest individually or collectively is held. If the ownership interest does not exceed 10% but exceeds \$5,000.00, the business must be listed. If a \$5,000.00 or greater investment interest exists in any business, the business must be listed. An ownership interest includes stock, interest in net profits or losses, assets, creditor's interest in an insolvent business and others. An investment interest includes bonds, notes, debentures, mortgages, and non-ownership financial interests. Value is determined at the highest amount for the calendar year. **(Do not list savings and checking accounts, deposits to financial institutions, shares of a credit union or cooperative bank, life insurance policies and annuities, or bonds of any government or governmental subdivision or money market funds. Do not list dollar amounts or numbers of shares. Addresses of corporations whose stock is publicly traded need not be listed.)**

Example:

Name	Name and Address of Business
John Doe	ABC Corporation 10 Dorrance Street Providence, R.I.
Jane Doe	General Motors

12. This section should be completed only if a business listed in #11 did business in calendar year 1999 with a state or municipal agency which employs the public official or of which he or she is a member, or over which the public official exercises direct or legislative control otherwise, please answer "none" or "not applicable". A state or municipal agency is any branch of state or local government. Generally, if an entity is a division of state or local government, or funded by a state or locality, or can commit state or local funds, or deal with state or local property, it is a state or municipal agency.

A public official exercises legislative control when the official has the power to vote on laws affecting the agency.

A public official exercises direct control when, although not a member or employee of the agency, the official can control or influence agency decisions through his or her official duties.

Transactions exceeding a total of \$250.00 must be reported. Even if each individual transaction is less than that amount, each must be reported if the total is more than \$250.00. Since a public official can have an ownership interest or investment interest in a large corporation and not have knowledge or access to knowledge about its business dealings, only business which the public official knows about or should know about must be reported.

Questions 12 and 13 should be answered by those individuals holding a 10% ownership in a business, or where a \$5,000.00 interest represents a significant part of the investment in a business. When the business entity is a multi-state corporation or when legislative, or direct control is exercised over a number of agencies, it may be impossible for an official to obtain this information.

In such case the official, unless he/she has knowledge concerning a transaction may answer "unknown". **Do not list dollar amounts.**

Example:

Name and Address of Business	Date, Name of Agency and Nature of Transaction
ABC Corporation 10 Dorrance Street Providence, R.I.	July 1, 1999 – Contract to sell lengths of steel pipe to R.I. Department of Transportation.

13. Instruction #12 applies as well to this question. The difference is that rather than list business done with an agency, information is sought about business which is directly regulated by your agency. Direct regulation refers to a type of business controlled by an agency on a continuing basis. Utilities, banks, racetracks, are examples. A business which simply requires a license is not regulated – barbers, liquor stores, etc. Personal business such as a personal loan from a bank, or retail purchases of consumer goods should not be listed. If uncertain as to the nature of regulation, please state. **Do not list dollar amounts.**

14. Question # 14 seeks information on the acquisition and/or divestiture of ownership or investment in regulated business. Note that the period of time is between January 1, 2000 and the date this statement is filed. Instructions # 12 and # 13 regarding knowledge apply to this section:

Example:

Name and address Of Business	Description of Interest (Not amount) and Date Acquired and/or Divested	Name of Regulating Agency
ABC Corporation 10 Dorrance Street Providence, R.I.	Common Stock: Acquired 1/18/00 Divested 4/1/00	By Public Utilities Commission (Control of Rates)

15. This question is similar to #12 except it seeks information about acquisition and/or divestiture of a business between January 1, 2000, and the date the statement is filed. If you, your spouse or a dependent child acquired or divested a financial interest in a business as described in #11 between January 1, 2000, and the date the statement is filed, which is doing business in excess of \$250.00 with a state or municipal agency of which the public official is a member, employee or the official exercises direct or legislative control over the agency, this question should be answered. Instructions #12 and #13 regarding knowledge apply. **Do not list dollar amounts.**
16. List the names and addresses of any person or business entity or other organization to whom you, your spouse or dependent child owes more than \$1,000.00, EXCEPT: DO NOT LIST
- (i) persons who are related within the third degree of consanguinity to the person who owes the money – this includes any of the following relations: brother, sister, parent, child, grandparent, grandchild, in-laws in those categories, great-grandparent, great-grandchild, uncle, aunt, niece, nephew.
 - (ii) any financial institution regulated by any state or by the United States if the indebtedness is secured solely by a mortgage on real property used exclusively as your principal residence.
 - (iii) any indebtedness which arose from any transaction(s) involving credit cards.

THE PUBLIC OFFICIAL SHALL SIGN AND SWEAR TO THE COMPLETED FINANCIAL STATEMENT BEFORE A NOTARY PUBLIC OR OTHER PERSON AUTHORIZED TO ADMINISTER OATHS. IN ADDITION, MARRIED COUPLES, BOTH OF WHOM ARE REQUIRED TO FILE, MUST FILE SEPARATE STATEMENTS.

PLEASE NOTE: The Rhode Island Code of Ethics Law and Regulations do not require the submission of a copy of your income tax return. Therefore, please do not attach it to your statement.